SENATE BILL No. 162

DIGEST OF INTRODUCED BILL

Citations Affected: IC 16-18-2-223.7; IC 16-21-13.

Synopsis: Hospital employee immunizations. Requires a hospital to administer or make available to be administered certain immunizations to hospital employees upon the employee's consent. Provides for exceptions.

Effective: July 1, 2016.

Miller Patricia

January 5, 2016, read first time and referred to Committee on Health & Provider Services.



2016

Second Regular Session 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in this style type, and deletions will appear in this style type.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or *this style type* reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

SENATE BILL No. 162

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1	SECTION 1. IC 16-18-2-223.7, AS AMENDED BY P.L.29-2009
2	SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3	JULY 1, 2016]: Sec. 223.7. "Medically contraindicated", for purposes
4	of IC 16-21-13, IC 16-28-14, and IC 16-28-14.5, means that a vaccine
5	would be detrimental to an individual's health because of a medical
6	condition of the individual.
7	SECTION 2. IC 16-21-13 IS ADDED TO THE INDIANA CODE
8	AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
9	JULY 1, 2016]:
10	Chapter 13. Hospital Employee Immunizations
11	Sec. 1. This chapter applies to the following:
12	(1) A hospital licensed under any of the following:
13	(A) This article.
14	(B) IC 16-22.
15	(C) IC 16-23.
16	(D) IC 16-23.5.
17	(2) An employee of a hospital described in subdivision (1) who



1	has direct contact with a patient of the hospital.
2	Sec. 2. (a) Except as provided in section 4 of this chapter and
3	subject to obtaining an employee's consent, a hospital shall
4	annually administer or make available to be administered the
5	· · · · · · · · · · · · · · · · · · ·
	following immunizations to the employees of the hospital:
6	(1) Immunization against the influenza virus.
7	(2) Hepatitis B.
8	(3) Varicella.
9	(4) Measles, mumps, and rubella.
10	(5) Tetanus, diphtheria, and pertussis.
11	(6) Meningococcal.
12	(b) A hospital shall conduct immunizations under this section in
13	accordance with the recommendations established by the Advisory
14	Committee on Immunization Practices of the United States Centers
15	for Disease Control and Prevention that are in effect at the time the
16	hospital conducts the immunizations.
17	Sec. 3. A hospital shall annually administer or make available
18	to be administered the immunization required under section $2(a)(1)$
19	of this chapter to an employee described in section 1(2) of this
20	chapter and who is employed by the hospital during the period
21	beginning October 1 and ending February 1 of the following year.
22	Sec. 4. (a) A hospital is not required to provide or make
23	available to the hospital's employees an immunization if the state
24	department determines that the necessary vaccine is not in
25	adequate supply.
26	(b) A hospital shall not require an employee to receive an
27	immunization under this chapter if:
28	(1) the hospital:
29	(A) has written documentation from the employee's
30	physician or other health care provider indicating the date
31	and place that the individual received an immunization
32	required under this chapter; and
33	(B) determines that no additional immunization is
34	required;
35	(2) the immunization is medically contraindicated for the
36	employee;
37	(3) receiving the immunization is against the employee's
38	religious beliefs; or
39	(4) the employee refuses to permit the immunization after
40	being fully informed of the health risks.
41	Sec. 5. The state department may adopt rules under IC 4-22-2

to administer this chapter.



42

2016